



Karl Forsgaard

# Icicle Work Group’s EIS draws fire

by Karl Forsgaard

As previously reported, the Icicle Work Group (IWG) released a Draft Programmatic Environmental Impact Statement in May 2018 for water management projects in the Icicle Creek watershed, seeking to construct dams and related structures on seven lakes in the Alpine Lakes Wilderness (*Alpine* 2018 issue No. 1). In July 2018, ALPS wrote and

submitted a comment letter on behalf of 31 organizations. IWG received about 10,000 comments on the DPEIS, possibly more. Most of the comments were generated by email alerts sent by five conservation organizations — Wilderness Watch, Sierra Club, Washington Wild, Washington Trails Association and The Wilderness Society — and these alerts included content developed by ALPS.

On January 3, 2019, the IWG co-leads (State Dept. of Ecology and Chelan County) issued a Final

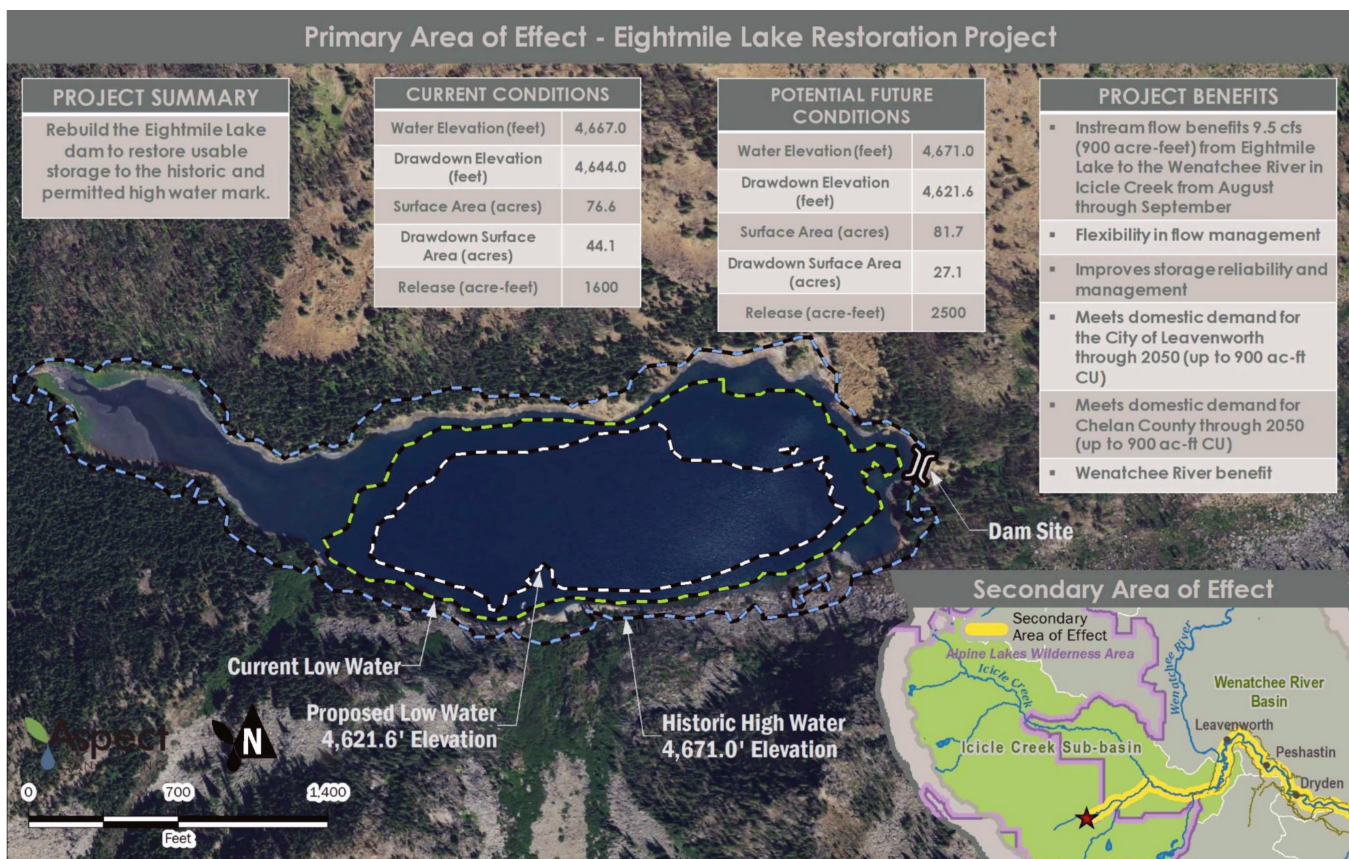
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**Excavator at Eightmile Lake dam, wrapped in a tarp to ‘winterize’ it, in November 2018.**





*Eightmile Lake aerial photo (Icicle FPEIS fig. 2-38) showing proposed enlargement of the lake (labeled "Historic High Water"), plus current and proposed maximum drawdown ("Low Water").*

## IWG's EIS draws fire

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Programmatic EIS (FPEIS). It was mostly unchanged from the draft version. The co-leads selected Alternative 1 (the Base Package) as the Preferred Alternative. Release of the FPEIS was covered in the *Wenatchee World* and the *Seattle Times*. The FPEIS immediately drew criticism from both inside and outside IWG. An IWG member initiated an IWG dispute resolution process about the FPEIS, which is still underway.

### Defects in Final Programmatic EIS

In February 2019, ALPS wrote and submitted a letter to IWG on behalf of 34 organizations regarding defects in the FPEIS. The coalition reiterated its concern and respect for wilderness values, the Alpine Lakes Wilderness and

its Enchantment Basin; the tribal treaty rights of the Yakama Nation and Colville Confederated Tribes; and valid, prior existing water rights in the Wenatchee River basin for agriculture.

The coalition letter notes that the FPEIS fails to meaningfully consider construction constraints and environmental impacts flowing from federal wilderness law. This omission is wasteful and irresponsible, and renders the FPEIS useless for subsequent environmental review of projects in wilderness. The FPEIS also fails to present an adequate water conservation plan, and fails to account for the Icicle Peshastin Irrigation District's relinquishment of some of its water rights.

The FPEIS fails to recognize that fundamental legal issues may not be resolved the way the FPEIS implicitly asserts they will

be resolved, including federal wilderness law and state water law. These legal issues will determine which projects can and cannot be built. Failing to address these fundamental issues before any further public funding is spent on implementation is wasteful and irresponsible. Because IWG relies on interrelated projects to accomplish common goals, later invalidation of an individual project may require IWG to revise all of the other projects in IWG's Preferred Alternative.

Like the draft version, the FPEIS fails to meaningfully consider fundamental land use restrictions imposed and values sought to be protected by federal wilderness law. This omission violates environmental laws and renders the FPEIS useless for subsequent environmental review of projects on or near designated wilderness lands. Indeed, a U.S. Forest Service

official wrote: “The [Draft] PEIS is silent on Wilderness effects, so there’s no opportunity to tier from or use their analysis.” The same is true of the Final PEIS, since it changed so little from the draft version.

All federal agencies enforce the Wilderness Act. Congress has designated wilderness on lands managed by other federal agencies besides the U.S. Forest Service, such as the National Park Service, the U.S. Fish & Wildlife Service, and the Bureau of Land Management. All of these agencies have personnel who are familiar with the Wilderness Act and who know how to recognize impacts on Wilderness lands they manage, as well as impacts on nearby designated wilderness lands managed by a sister agency. Icicle projects put forth by any agency must acknowledge the gaps, omissions, and absence of analysis of Wilderness Act values and impacts in the FPEIS.

Our July 2018 comment letter on the DPEIS said that because of its deficiencies (including the lack of Wilderness impacts analysis), Ecology and the County should withdraw, revise, and re-release the DPEIS once the deficiencies are addressed. The IWG co-leads declined to revise it to correct the deficiencies, explaining as follows:

“Per WAC 197-11-405 a supplemental draft EIS is required if there are substantial changes to the proposal so that the proposal is likely to have significant adverse environmental impacts; or there is significant new information indicating, or on, a proposal’s probable significant adverse environmental impacts. *New information has not been found* nor has the proposal changed in a way that new probable significant adverse environmental impacts are likely.” [Emphasis added.]

The IWG co-leads’ purported “response” is nonresponsive. The issue here is not whether wilderness impacts are “new information,” but whether they were incorrectly omitted from the draft EIS. The reality, of course, is that the proposal’s impacts to wilderness plans and values have been known to federal agencies for a long time. As the Forest Service states, they are missing from the PEIS. The omission renders the EIS deficient and useless.

The FPEIS also fails to account for IPID’s relinquishment of some of its water rights. This omission violates environmental laws and renders the FPEIS useless for subsequent review of projects involving relinquishment. The FPEIS fails to analyze how much of IPID’s water rights remain (i.e., how much water is legally available) and fails to analyze the impact of building the dams to support that level of service. If the Eightmile Lake dam is rebuilt, it should remain at its current elevation, where it has been since at least 1990, because that elevation is the largest necessary to support whatever remains of IPID’s relinquished water right.

The IWG co-leads declined to revise the DPEIS to correct the omission of relinquishment analysis, arguing that a permitting action has not yet begun, but that is not a valid reason for the FPEIS to ignore the consequences of relinquishment here. Environmental laws require reasonable forecasting of the future, including forecasts of future government actions related to the proposal. There is too much at stake here not to address the water rights issue before proceeding further. As a practical matter, all of the streamflow numbers in the FPEIS will change if it is determined that relinquishment occurred and the Eightmile dam will be repaired at its current elevation, not four feet higher.

IWG made a significant investment in working with the University of Washington’s Climate Impacts Group, but incorporates very little of its analysis and long-term projections into the Icicle FPEIS’s forecast for future drought conditions. Furthermore, the IWG co-leads affirmed that the Icicle FPEIS focuses on addressing water needs only for the “short-term,” which the co-leads defined as a period of 20 years, which is simply not long enough given the proposed magnitude of public investment in this project. The Preferred Alternative will not set the Icicle basin on the path to climate resiliency, as promoted by the IWG co-leads. At best, it helps agricultural interests and domestic users to have some level of reliability for the next 20 years, but does not go far enough for fish and wildlife and other out-of-stream interests and uses.

A failure to include updated information such as the IPID Comprehensive Water Management Plan or the City of Leavenworth’s Water System Plan, both completed in 2018, or any updated information on emergency dam and outlet repairs completed at Eightmile Lake in 2018 show either a deliberate exclusion of pertinent information or a lack of effort in the final stages of drafting the PEIS.

In our July 2018 comment letter on the DPEIS, we provided extensive recommendations on ways to obtain new water supply while reducing demands on Icicle Creek by increasing conservation of water, such as by tightening up water delivery and consumption infrastructure in the Leavenworth area; demand management efforts; and recalculating future demand. However, most of our recommendations were ignored. A voluntary lawn buy-back proposal was added, but the FPEIS does not

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# USFS action regarding Enchantments overuse

February 2019

Many ALPS members have asked for a status update on this issue. You may remember representatives from Friends of the Enchantments (Friends hereafter) started meeting with Okanogan-Wenatchee USFS reps in 2014. They met on October 14, 2016 to address overuse in the Enchantments and resulting destruction of landscape and Wilderness values, as outlined in the 1981 Alpine Lakes Area Land Management Plan. The same issue was addressed in 1993, and a Decision Notice of 'No Significant Impact' was issued, accompanied by a recommendation for "more study" and implementation of an overnight use permit system. The decision includes the suggestion "areas may be added to the permit system if monitoring detects further resource damage or large increases in user pressure on pristine areas." The 1993 report goes on to say that "physical degradation will be the main element in identifying areas requiring further study for inclusion" in a more restrictive permit system.

After the October 2016 meeting, this author (representing both ALPS and Friends) contacted James Peña, Regional Forester Pacific Northwest Region, to implore for the implementation of Day Use permits, modeled after the Mt. Whitney or Three Sisters areas. The response from Peña was not encouraging, and in fact questioned the unique needs of the Enchantments, stating that it was more important to allow the public as much access as possible. A follow-up letter to Peña was submitted in January 2017 to Becky Blanchard, Wilderness Manager Pacific NW Region (as directed by Peña), outlining the unique

needs of the Enchantments, and again imploring for Day Use permits. The letter included a chart showing Day Use increase at Snow & Colchuck from 2012 to 2016 by a factor of 5.

Greg and Kathi Shannon of Friends, also met with Jason Fisher, Wilderness specialist for the Deschutes, and Becky Blanchard in November 2016. They learned that the Deschutes staff planned to start studying overuse in January 2017 for the Three Sisters Wilderness. Also in November 2016, Friends met with District Ranger, Jeff Rivera to discuss how Friends could facilitate the process for the Enchantments. He shared his preference to use existing, available documentation rather than starting a four-year EA process. He hoped to have a study plan by Spring 2017. He promised that staff at the regional office in Portland would work with the district on the issue. Friends urged regional staff advisers to look at the NEPA process and evaluate past and current documents with the hope the Forest Service won't have to start from the beginning.

A year later, November 2017, Friends brought new trail damage reports to the OOWNF USFS, and again implored for Day Use permits. The 2016 formal FOIA request was submitted in attempt to gain status on the issue. A request was sent to Becky Blanchard for a USFS "Three year plan" like the one Jason Fisher has for the Deschutes. Finally in March 2018, the FOIA information was received, and the plan forward was "wait for the Three Sisters plan" to be released.

In April 2018, Friends attended a public meeting by the Deschutes NF USFS. Alternatives for their

EA were discussed. John Allen, the Deschutes NF Super agreed it was too bad there wasn't a national effort at more limited permit areas back in the 90s before use was so high. Now it is an upstream slog to try to curb the damage. Friends reported on long-distance runners at this public meeting that made statements that their group should be exempt from permits because as runners, they don't do any damage. 2018 photos of runners in the Enchantments show them three abreast, passing hikers on the trail, and running over heather and irreplaceable alpine vegetation. Most of the commenters at the Deschutes public meeting were against any regulation. The EA is worded in such a way that favors leaving any quota setting to ranger judgment. This is a concern, since this will set precedent for the Enchantments EA. The USFS should use existing facts and data to set quotas, not subjective judgement that changes from day to day. Their own introductory paragraph reads, "Current management is not successfully addressing the impacts associated with growing use. Impacts include degradation and loss of meadow, riparian damage, tree damage, presence of dog and human waste, widening and braiding of trails and compaction of sites and soils. Actions to reduce impacts are required to meet the purpose of the Wilderness Act and to meet the direction in the Forest Plans."

Finally, in October 2018, the OOWNF released its 'Enchantments Permit Area Visitor Use Data Analysis 2007-2017.' The report analyzed user data for these years, and concluded that the Wilderness values were largely

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# Tide turning against low power hydro?

Those who value free flowing streams are taking heart from several recent wins against low power hydro projects in the Alpine Lakes area. The Black Canyon project threatened to divert the North Fork Snoqualmie out of Ernie's Canyon at the northwestern foot of Mt. Si. The Sunset Falls project would have dewatered the South Fork Skykomish and sent its waters into a pipe bypassing Sunset Falls a couple of miles southeast of Index. Fortunately, both have now been stopped.

Black Canyon appears to have been little more than a scheme to milk gullible investors. There seems no other explanation for a project which hinged upon dewatering a river within a Washington state DNR Natural Resource Conservation Area. But it had to be taken seriously, and it took a fair amount of effort to make sure it died.

Sunset Falls had the heavy weight of the Snohomish Public Utility District behind it. It would have been a very expensive project producing very little energy. Snohomish PUD has some of the lowest electric rates in the country, and the debt from building Sunset Falls could have raised those rates considerably. The best explanation for why Snohomish PUD pursued it for over a decade seems to be that it was a jobs project for an army of bureaucrats and consultants.

PUDs have been behind many economically senseless low power hydro projects. With little public oversight, and a captive customer base whose electric rates can be raised to service the debts from building these projects, PUDs are perfect targets for "predatory lending." Many PUDs look to be run more for the benefit of their employees than the public.

The Snohomish PUD commissioners may have gotten worried that word was starting to get out about the spiraling costs of Sunset Falls. They voted in April 2018 to pull the plug on it. But it did keep all those bureaucrats and consultants going for over ten years. So in that sense, at least, it served its intended function.

The terrible economics of low power hydro usually scare away any profit seeking entities. All the good hydroelectric sites are taken. There is no lack of electric power in the Northwest, and there are always good reasons when dams are not found on any particular site. Hopefully, the tide is finally turning against these schemes, which a few years ago seemed to threaten anyplace where water flowed downhill. ALPS and other groups will continue working to keep our undammed streams running free.

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## Enchantments Overuse

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lost. Plan standards for 60 people in the Enchantments at one time (PAOT) were exceeded 99% of the time in Semi-Primitive areas, 93% of the time in Primitive areas, and 63% of the time in Pristine areas. With 253 day-hikers indicating "Core" Enchantments as their destination, the USFS is out of compliance for every aspect of the Wilderness management plan. The recommendations of the report are confined to "redesign" of forest management processes to allow further "assessment." In

a December 22, 2018 Facebook post by Bobby McGlaughlin to the Washington Hikers and Climbers page, he claims, "more Enchantment through hikes than I can count; 35+ mile days, deep in the Wilderness." Bobby is probably a great guy, and like many of us, will continue to love the Enchantments literally to death, given the opportunity. It is disturbing that the USFS does not have steps to address this overuse issue in its plan for 2019.

We seem to be back to our November 2017 meeting goals of lobbying Becky Blanchard to come up with a three-year plan to get the OWN management

back in compliance with the ALW MP. ALPS will be drafting a letter to that affect soon. If you would like to contribute your thoughts/ comments, please contact:

*Natalie Williams*

*natalieseese@gmail.com*

*ALPS Secretary  
and Friends Steering  
Committee.*



# State poised to implement faulty recreation plan



ANDY DAPPEN

## *Stemilt Basin*

The Washington State Department of Natural Resources (DNR) and the Washington Department of Fish and Wildlife (WDFW) are poised to implement a portion of their Naneum Ridge to Columbia River Recreation and Access plan (Naneum plan). This action is partly based on the faulty Chelan Country Stemilt-Squilchuck Recreation Plan (Stemilt plan) which fails to meet the need for non-motorized recreation. The Stemilt plan was completed by Chelan County in November 2018 and includes a checkerboard of land ownerships—private, county, state, and federal lands. The Stemilt-Squilchuck basin is a small sub-

basin just south of Wenatchee that falls under the management of the larger Naneum plan. The Naneum plan encompasses approximately 230,000 acres of Washington State public lands located between the towns of Ellensburg and Wenatchee and was completed in 2015 (a cooperative effort lead by DNR and WDFW).

While the Naneum plan was developed with a fully transparent, public process that encouraged and sought statewide public involvement, the Stemilt plan was primarily concocted to be a “locals” plan, even though the majority of the lands in question are state owned. Chelan County did not solicit participation by

statewide recreation organizations but, in fact, discouraged it. By not following due process, the result was that the Stemilt plan eventually diverged from the facts, data, science, and participation surveys to eventually misrepresent what actually occurred during the planning meetings. Now, the Stemilt plan has been submitted to DNR and WDFW for consideration on how to manage the state lands for recreation within the Stemilt-Squilchuck sub-basin.

The Stemilt recreation plan veered from due process when a letter was circulated by an employee of Experience Powersports in Moses Lake Washington stating falsely

that non-motorized groups were "... trying to close down the Colocum to off road vehicles!" and that the local snowmobile sno park "...was closed to give access to skiers." Both points were false, yet the Chelan County Natural Resources Department (NRD), bowed to pressure and allowed a small group of motorized advocates to hold up the ongoing planning process. The recreation planning committee had already completed a suite of recommendations with appropriate maps when the NRD decided to throw them out. Most egregious was when the NRD misrepresented the dialogue and discussions that occurred between the winter non-motorized groups and the motorized groups. After only three meetings between the groups in question, and pressed for time, the NRD falsely stated the groups had reached a compromise when no such compromise had been agreed to. The result was that the NRD altered the original Stemilt recreation planning map by reducing the area of the winter non-motorized area that was recommended in the Naneum plan; instead, it included Federal and private lands in a new "compromise" winter non-motorized area. Unfortunately, the state and the county have no jurisdiction over federal and private lands so including said lands in the proposed winter non-motorized area is disingenuous and arbitrary by making it appear larger than it is.

The lands proposed in the Naneum plan for winter non-motorized recreation are incredibly important for backcountry skiers, cross-country skiers, snowshoers and quiet recreation opportunities. Protecting these small areas is key to bringing balance to an area that currently has no designated non-motorized recreation area. The Naneum plan strives to reach a balanced land management scenario. The Stemilt plan failed to address the obvious need for



*Stemilt Basin*

non-motorized recreation, was not fact based, ignored participation numbers, and leaves the non-motorized recreationists to bear the costs of their faulty plan with a token area of little significance.

Please take a moment to contact Chelan County, the Olympia offices of DNR and WDFW and the Governor's office to voice your opinion. These are public lands that belong to all of us. More information can be found on the Chelan County webpage under Natural Resources Department at:

<https://www.co.chelan.wa.us/natural-resources/pages/stemilt-squilchuck-recreation-planning>

*Gus Bekker, President*

*El Sendero Backcountry  
Ski and Snowshoe Club*



# IWG's EIS draws fire

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go far enough. More aggressive conservation efforts are needed.

The Icicle FPEIS implies that it is a comprehensive review of all of the environmental issues, but it is not. The FPEIS cannot be said to comply with the Guiding Principles of IWG, including compliance with federal laws such as the Wilderness Act, when analysis of those laws has been skipped over and punted to subsequent project-level review. The outstanding gaps and deficiencies in the Icicle FPEIS are egregious, and too significant for it to serve as the "foundation" for environmental review of any project in the Alpine Lakes Wilderness. Government agencies responsible for project-level review need to be aware of these defects, and refrain from basing their decisions on the Icicle FPEIS. Instead, lead agencies should make threshold determinations of whether projects are lawful in the first place, before proceeding with further review.

In addition to co-signing the coalition letter summarized above, The Wilderness Society also submitted a letter from its law firm echoing many of the same points made in the coalition letter.

## **Icicle Creek Watershed Council initiates Dispute Resolution process**

At IWG's February 2019 meeting, IWG members complained about how the IWG co-leads released the FPEIS "without consensus," contrary to IWG operating rules requiring consensus. IWG member Icicle Creek Watershed Council said it was "deeply troubled" and was "quite surprised" when it "discovered" that the FPEIS was going to be released on January 3. ICWC cited the above coalition letters about legal issues

in the FPEIS, and said the co-leads "pretend" that those legal questions "don't exist."

ICWC also said that because of IWG's operating rules, ICWC refrained from commenting for the Seattle Times story on the FPEIS, and ICWC believed it would need to submit its press comments to the IWG co-leads (Ecology and the County) for pre-approval. In other words, more evidence of harm caused by IWG's gag rule.

In response, at the February 2019 meeting Ecology said "we DID get consensus," in 2016 before commencing the EIS process, i.e. before the environmental analysis was supposedly conducted. This is nonsensical and alarming, coming from the State agency responsible for protecting the environment, and it provides more evidence that the FPEIS is useless. ICWC and TU are talking about failure to achieve consensus at the end of 2018, not in 2016.

As a member of IWG, the Icicle Creek Watershed Council initiated dispute resolution and set forth its complaints about the FPEIS in a February 22, 2019 letter to the IWG co-leads (Ecology and Chelan County). ICWC said "the FPEIS does not go far enough in developing the fundamental information necessary for evaluating the overall Icicle Strategy... Our areas of concern include adherence to IWG process, water conservation needs, wilderness impacts, climate change and stream flow projections, and water management."

"Unfortunately, the release of the FPEIS did not provide IWG members an opportunity to review, assess and share input ... Nor were we allowed to review how the issues raised in our DPEIS comments were responded to before release of the final document. This is why the ICWC was unable to indicate its support for the FPEIS ..." The FPEIS put

ICWC in an "awkward" position; inadequate analysis "is risky" for the IWG effort. IWG Operating Procedures require consensus, but "the FPEIS did not follow this process; a formal action to establish consensus was not taken and open issues were not resolved prior to publication of the FPEIS."

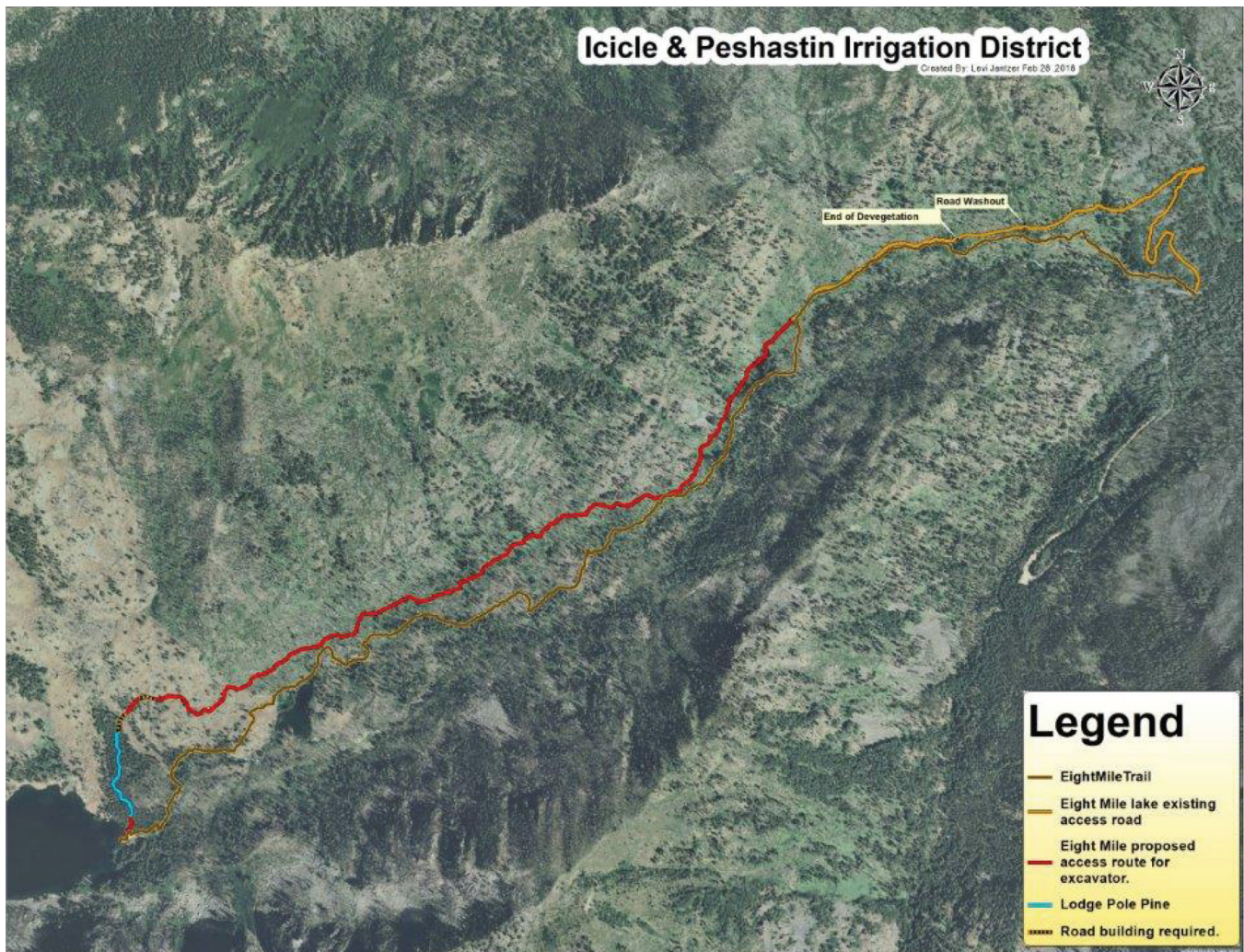
The IPID Water Conservation Plan was not made public until after the conclusion of public comment on the Draft PEIS, so there was no opportunity to incorporate public comment on this "crucially important analysis of the largest user of Icicle Creek water." The FPEIS lacks a "robust review of conservation potential"; conservation "should be maximized before pursuing major infrastructure projects."

Projects proposed in Alpine Lakes Wilderness "are based on numerous untested assumptions," and wilderness impacts "have not been adequately reviewed or addressed in the FPEIS," which "likely invalidates the FPEIS for environmental review at the project level." "Pushing" wilderness impacts review to the project level "is not in accordance with guiding principles."

In conclusion, ICWC wrote that it is "disappointed these issues were not brought to consensus within the IWG prior to the publication of the FPEIS," and "resolving them is vital before committing significant time and public funds to implementation. ... In the interim we request that all communications make clear that the Final PEIS does not have the full support of the Icicle Work Group, and does not represent a consensus decision." The ICWC letter was submitted by its five board members, including Harriet Bullitt, former owner of Sleeping Lady Resort on Icicle Creek.

In the dispute resolution process, ICWC is accusing the co-leads of violating the rules, so it





*Map of route proposed by Icicle Peshastin Irrigation District for moving excavator on the ground through the wilderness to Eightmile Lake in 2018 (note the legend includes “Road building required” for some sections near the lake, inside wilderness). IPID submitted this map to the U.S. Forest Service.*

seems unfair and inappropriate for the co-leads to sit on the dispute resolution panel. As we went to press in early July 2019, the dispute resolution process was still underway.

### **Trout Unlimited’s complaints**

At the February 2019 IWG meeting, IWG member Trout Unlimited echoed ICWC’s concerns, and said TU is “struggling” with it and feels “the same way” as ICWC. TU said it was “surprised” at the short notice of the January 3 release of the FPEIS, and after sitting on the IWG for six years, to receive “not even

the courtesy” of earlier notice. TU questioned whether it would be expelled from IWG if it did not want to write a letter of support for the FPEIS.

In a March 12, 2019 letter to the IWG co-leads (Ecology and Chelan County), TU wrote: “As mentioned at the February 2019 IWG meeting we are frustrated that a process born of litigation and built to work collaboratively through those issues is likely headed back to litigation. Frankly, this is a disappointing outcome that does not bode well for achieving IWG objectives and reflects poorly on six years of meetings and millions

of public dollars spent to facilitate the process.”

TU also wrote that it is “concerned about the IWG’s ability to meet the guiding principles should a given Alternative 1 project(s) fail to achieve completion”; “TU remains concerned that Alternative 1 does not adequately address the likelihood of significant future flow reductions related to climate change”; and “TU is disappointed that IWG governance was not observed by the co-leads with respect to publication of the

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FPEIS. The Icicle Creek Working Group Operating Procedures stipulate achieving consensus on key decision points and the final project list. As discussed at the February 2019 IWG meeting, this guideline was not followed. “

TU's letter made several suggestions, including:

“Determine which project(s) are likely to be litigated and work with potential litigants and interested parties to modify or replace those projects to avoid litigation. Litigation will be costly and delay/prevent implementation which would not be a successful outcome of the IWG process.” [and]

“Identify a strategy for determining project feasibility at the project-specific scoping stage and a list of suitable, achievable alternate options for Alternative 1 projects.”

TU concluded that until the issues identified above are addressed, “we are unable to provide unqualified support” for the FPEIS Preferred Alternative (Alternative 1).

### **U.S. Forest Service comments on FPEIS**

IWG has been asking its member agencies to submit letters of support for the FPEIS, and some have balked at this due to their concerns and conditions (e.g. ICWC and TU). In a May 23, 2019 letter to IWG co-lead Chelan County, the U.S. Forest Service wrote that projects in the FPEIS Preferred Alternative must comply with federal and state environmental policy laws (NEPA and SEPA), and that Okanogan-Wenatchee National Forest review and approval would be required to fulfill Forest responsibilities under the Wilderness Act, National Forest Management Act, NEPA,

the Endangered Species Act, the Wenatchee Forest Plan as amended by the Northwest Forest Plan, and other applicable regulations. The Forest Service also wrote that it understands IWG will consider “replacement projects to any element of the Preferred Alternative that does not meet the criteria above.”

### **Eightmile Lake dam construction plans move forward**

At Eightmile Lake, the Icicle Peshastin Irrigation District (IPID) used its excavator to replace the pipe under the dam in late summer 2018. The excavator had been transported into the wilderness in May 2018 by helicopter, and the flight cost about \$100,000. Media coverage implied that IPID bore that cost. However, the State Department of Ecology reimbursed IPID for the helicopter flight, so the \$100,000 cost was ultimately borne by Washington State taxpayers. IPID elected to leave the rented excavator at the dam over the winter (wrapped in a tarp to “winterize” it), rather than go through a public process to assess IPID's proposal to “walk” the excavator out of the wilderness on the ground, through the forest.

In January 2019, IPID released 30% design drawings of its proposed new dam at Eightmile Lake. At that time, IPID said it would like to “start applying for permits by the end of March” so that it could construct the new dam in late summer 2019. However, NEPA work has not yet begun, and at the May 9 meeting of IWG, IPID said “Construction in 2019 is not likely, so 2020 looks more realistic at this point.” For years, ALPS has been telling IWG that it would litigate any attempt to expand Eightmile Lake.

In response to IPID complaint letters, the U.S. Forest Service's Regional Forester wrote on June 26, 2019 that the Forest

Service “would like to convene a facilitated discussion between the Irrigation District and key Forest Service staff, with a mutually-agreed upon facilitator ... to find mutually-beneficial outcomes for equipment retrieval, emergency repairs, and future maintenance and management of the facilities.”



# Yakima Plan authorization passes Congress in omnibus bill

ALPS and other conservation organizations are continuing their active opposition to the most destructive parts of the \$5 billion Yakima Basin Integrated Plan. As reported in 2015 (Alpine 2015 issue No.1), a benefit-cost study mandated by the Washington State Legislature concluded that most Yakima Plan storage components (including the Bumping Lake, Wymer and Kachess projects) miserably fail a benefit-cost test. For example, the Wymer Dam and Reservoir project has a benefit-cost ratio of 0.09, a benefit of nine cents for every dollar spent, i.e. taxpayers would lose 91 cents for every dollar spent.

Senator Maria Cantwell's bill to authorize early phases of the 2012 Yakima Plan failed to pass in prior sessions of Congress (see Alpine 2016 issue No.1). Only Yakima Plan supporters

were allowed to testify at the one Senate hearing held on the bill; opponents were not allowed to testify. However, in early 2019, a revised Cantwell bill was included in S.47, the public lands omnibus bill entitled "Natural Resources Management Act," which quickly passed in Congress and was signed into law on March 12. It authorizes implementation of the entire Yakima Plan, not just the early phases. Water conservation provisions are all voluntary. Now that authorization exists, proponents must now seek appropriations to pay for any projects.

The omnibus bill had considerable momentum because many of its components are popular (such as reauthorization of the Land and Water Conservation Fund), and the bill's bad components (such as

the Yakima Plan) are avoiding scrutiny due to the enormous number of unrelated, previously unsuccessful proposals bundled into the 698 pages of the bill. Nonetheless, it is worth contacting your congressional representatives to recount the Yakima Plan's major defects and prepare them for future discussion of appropriations.

As reported in the last issue of Alpine (2018 issue No.1), a public comment period ended in July 2018 for the Supplemental Draft Environmental Impact Statement for the Keechelus Reservoir to Kachess Reservoir Conveyance (a.k.a. the K-to-K Pipeline) and the Kachess Drought Relief Pumping Plant. ALPS timely submitted comments. As we went to press in July 2019, the Yakima Workgroup had recently released a Final EIS for the Kachess projects.

## Planning begins for Middle Fork Snoqualmie Wild and Scenic Corridor

The U.S. Forest Service has begun to develop a management plan for the Middle Fork Snoqualmie and Pratt Wild and Scenic (W&S) rivers. The 2014 legislation adding the Pratt River valley and other nearby lands to the Alpine Lakes Wilderness also designated the Middle Fork upstream of the concrete bridge, and the entire Pratt, as W&S rivers.

The federal Wild and Scenic rivers act calls for the lead management agency, in this case the Forest Service, to develop a plan for a corridor averaging one quarter mile wide on either side of a designated river. The entirety of

the Pratt as well as the uppermost Middle Fork are now included in the Alpine Lakes Wilderness, so the designation is in some sense moot in those reaches.

However, the W&S designation will provide a much needed layer of protection for the Middle Fork downstream of the Wilderness. Almost all of the river corridor is natural, although uncontrolled dispersed camping has been a problem in some areas. Fortunately, the days when monster 4x4 trucks were smashing down new routes to the river, to places which quickly turned into

squalid, muddy garbage strewn messes, are mostly over.

Even though the problems of uncontrolled use in the Middle Fork are nothing compared to what they once were, the W&S plan will hopefully provide one more tool to make sure things are done right in the Middle Fork. Visitor behavior has gotten better, but overall use levels are surging. Any new recreational developments in the Middle Fork need to be done right. ALPS and other groups will be working to insure that wild places are protected and any new facilities are made to fit the valley.



# alps

alpine lakes protection society  
PO Box 27646  
Seattle, WA 98165

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KEVIN GERAGHTY

*Oxbow Lake in Middle Fork Snoqualmie valley. Washington Department of Natural Resources has recently opened a loop trail traversing part of this scenic area of the Middle Fork valley.*

## alpine

The newsletter of the Alpine Lakes Protection Society (ALPS). ALPS is dedicated to protection of the Alpine Lakes area in Washington's Cascades.

Editor: Rick McGuire  
Layout: Pat Hutson

To join ALPS or renew membership, send \$15 to:

Natalie Williams  
5627 – 47th Ave. SW  
Seattle, WA 98136

For information, send email to:  
[alpinelakes.info@gmail.com](mailto:alpinelakes.info@gmail.com)